

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington DC

**In the Matter of**

**Certain Coamoxiclav Products, Potassium  
Clavulanate Products, and Other Products  
Derived from Clavulanic Acid.**

**Inv. No. 337-TA-479**

**Order**

The Commission instituted this investigation on September 5, 2002, based on a complaint filed by GlaxoSmithKline, PLC of the United Kingdom and SmithKlineBeecham d/b/a GlaxoSmithKline of Philadelphia, Pennsylvania (collectively GSK) alleging a violation of section 337 in the importation, sale for importation, and sale after importation of certain coamoxiclav products, potassium clavulanate products, and other products derived from clavulanic acid ducts and potassium clavulanate by reason of misappropriation of trade secrets and unfair competition. 67 *Fed. Reg.* 57850. The complainant named Biochemie GmbH, of Austria, Biochemie SpA, of Italy (collectively Biochemie), Novartis AG of Switzerland (Novarits), and Geneva Pharmaceuticals of New Jersey (Geneva) as respondents.

On March 6, 2003, the presiding administrative law judge issued an initial determination (ID)(Order No. 7) granting a motion filed by Biochemie and Geneva for a finding that they did not violate section 337 because they did not engage in any unfair acts. The administrative law judge also extended his ruling of no violation to respondent Novartis. On March 11, 2003, the Chairman extended the deadline for filing any petitions for review of the ID to March 20, 2003.

On March 17, 2003, the parties filed a consent motion for a stay of the procedural schedule set out in ALJ Order No. 6, pending the Commission's ruling on the ID. The parties state that such a stay is necessary to conserve resources that otherwise would be expended for discovery in the absence of a stay. It is hereby ORDERED that—

1. The deadline for determining whether to review the initial determination (Order No. 7) issued on March 6, 2003, is extended to April 28, 2003, pursuant to 19 C.F.R. § 210.42(h)(3).
2. The motion for stay of the procedural schedule is remanded to the administrative law judge.
3. The Secretary shall serve copies of this Order on the administrative law judge and the parties to this investigation.

By order of the Commission.

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Marilyn R. Abbott  
Secretary to the Commission

Issued: April 16, 2003